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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventors : Dario Perdomo  
Richard Steger  
Joseph Drbohlav  
Serial No. : 10/784,106  
Filing Date : February 20, 2004  
Title : METHOD OF SELECTING A HIGH MODULUS  
LAYER BINDER  
Group/Art Unit : 1762  
Examiner : Not Yet Assigned  
Confirmation No. : 6902  
Atty. Docket No. : 506422.0118

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. § 1.56 and § 1.97(b), the references listed below and on the attached Form PTO/SB/08A (Substitute for Form 1449A-B/PTO) are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. Submission of these references is not an admission that the references constitute prior art.

**U.S. PATENTS**

Patent No.	Inventor(s)	Issue Date
None.		

**Certificate of Mailing Under 37 C.F.R. 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: June 23, 2004  
Signature: [Signature]  
Printed Name: Erika J. Ketterman

The Director is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-4409.

### **FOREIGN PATENTS**

<b>Country</b>	<b>Patent No./Publication No.</b>	<b>Publication Date</b>
None.		

### **OTHER REFERENCES**

Corte, Jean-Francois, "Development and Uses of Hard-Grade Asphalt and of High-Modulus Asphalt Mixes in France", Transportation Research Circular 503: Perpetual Bituminous Pavements, December 2001.

Nunn, M.E. and T. Smith, "Road Trials of High Modulus Base for Heavily Trafficked Roads", Transportation Research Laboratory Report 231, 1997.


Applicants respectfully request that these references be made of record in the above-identified application and considered by the Examiner during prosecution of the application.

It is respectfully submitted that the present invention as claimed is patentable over the listed references.

This information disclosure statement is being filed within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) or before the mailing of a first Office Action on the merits. Accordingly, no fee is due.

Acknowledgment of receipt is respectfully requested.

Respectfully submitted,

By:   
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Approved for use through 10/31/2002. OMB 0651-0031

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Substitute for Form 1449A/PTO

(use as many sheets as necessary)

Sheet	1	of	2
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**Complete if Known**

<b>Application Number:</b>	10/784,106
<b>Filing Date:</b>	February 20, 2004
<b>First Named Inventor:</b>	Dario Perdomo
<b>Group Art Unit:</b>	1762
<b>Examiner Name:</b>	Not Yet Assigned
<b>Attorney Docket Number:</b>	506422 0118

## U. S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for Form 1449B/PTO (Modified) <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number:	10/784,106
				Filing Date:	February 20, 2004
				First Named Inventor:	Dario Perdomo
				Group Art Unit:	1762
				Examiner Name:	Not Yet Assigned
				Attorney Docket Number:	506422.0118
Sheet	2	of	2		

#### OTHER REFERENCES – NON PATENT LITERATURE DOCUMENTS AND INFORMATION

[illegible]

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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